

EXHIBIT 31

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

HYUNHUY NAM,

Plaintiff,

v.

PERMANENT MISSION OF THE REPUBLIC OF
KOREA TO THE UNITED NATIONS; HYUN CHO;
JINHO JO; and DAEYONG CHUNG,

Defendants.

Case No.: 1:21-cv-06165-AJN

**DECLARATION OF JINHO JO
IN SUPPORT OF DEFENDANTS'
MOTION FOR SANCTIONS
PURSUANT TO FED. R. CIV. P 11**

I, Jinho Jo, make the following declaration pursuant to 28 U.S.C. § 1746:

1. I am a Counsellor at Defendant Permanent Mission of the Republic of Korea to the United Nations (the "Entity") and therefore am fully familiar with the facts and circumstances set forth herein.

2. I submit this Declaration in support of Defendants' motion to dismiss the complaint of plaintiff Hyunhuy Nam ("Plaintiff").

3. I am a custodian of the records of the Entity.

4. These said records are kept by the Entity, in the regular course of conduct, and it is the regular practice of the Entity, for an employee or representative with knowledge of the act, event, transaction, condition, fact and/or document recorded, to make the record or to transmit information thereof to be included in such record; and the record was made at or near the time or reasonably soon thereafter.

5. It is the Entity's regular course of conduct to make such records.

6. To the best of my knowledge, after a reasonable inquiry, the records attached hereto are true and correct copies of the original that are in the custody of the Entity.


7. Attached hereto as Exhibit A is a true and correct copy of an official letter by the Ministry of Foreign Affairs of the Republic of Korea, dated August 23, 2021.

8. Attached hereto as Exhibit B is a true and correct copies of the settlement agreement between the Permanent Mission of the Republic of Korea to the United Nations (the "Mission") and Plaintiff from the Entity's records.

9. Since the date of the execution of the settlement agreement annexed hereto as Exhibit B, the Entity has made efforts to make payment of the severance pay, which was promised in return for Plaintiff's release of his employment-related claims. But Plaintiff continued to delay and state that he is not available to receive the funds.

I declare under the penalty of perjury that the foregoing is true and correct.

Executed on September 3, 2021


Jinho Jo

EXHIBIT

A



MINISTRY OF FOREIGN AFFAIRS
REPUBLIC OF KOREA

To whom it may concern,

In the Ministry of Foreign Affairs' guidelines on administrative employees, the clauses related to their employment contract, retirement, retirement age, and severance pay are as follows:

Article 10 (Employment contract)

(1) The Mission shall conclude an employment contract in writing with the person whose employment has been confirmed, in accordance with Appendix No.1 document, and deliver a copy of the contract to the administrative staff.

Article 58 (Resignation)

(1) If an administrative employee falls under any of the following, resignation shall be processed:

1. If they submit a resignation letter and wish to resign
2. In case of death
3. If they have reached the retirement age
4. If the employment contract duration expires
5. If their dismissal is determined

Article 62 (Retirement age)

(1) The retirement age is 60.

Article 64 (Severance pay)

(1) If an administrative employee who has worked for more than 1 year resigns, the Mission shall pay an average wage of 30 days for one year of continuous service as the severance pay.

*The calculation of severance pay:

Severance pay =
{ [(base pay for three months before resignation + discretionary bonus for the past 1 year) / (number of days worked in the 3 months before resignation)] x 30 } X (total days of work / 365)



MINISTRY OF FOREIGN AFFAIRS
REPUBLIC OF KOREA

Sincerely,

2021. 08. 23.

Title: Director of Overseas Missions Division

Name: Daesup Chung

Sign: 

[Official Seal]



EXHIBIT
B

합 의 서

고용(대리인) 주소 : 330 E 38 St, NYC, NY (10016)
성명 : 조진호

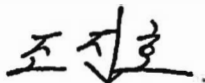
피고용인 주소 : 128 W Central Blvd Palisades Park, NY
성명 : 남현희

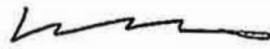
- 합의 내용 -

상기 양측은 현지고용원(남현희)의 고용 관계가 2021.6.30.부로 종료
된다는 것에 대하여 차후에 민형사상 이의를 제기하지 않기로 합의하였
기에 이 합의를 제출합니다

2020년 9월 1일

위 합의서 제출인

고용(대리인) 성명 : 조진호 

피고용인 성명 : 남현희 

SETTLEMENT AGREEMENT

기요(제미이) 조스 . 330 E 38 St, NYC, NY (10016)
Employer (Representative) Address:
Name: Jinho Jo

기영혜이 조스 . 128 W Central Blvd Palisades Park, NY
Employee Address:
Name: Hyunhuy Nam

- Substance of the Settlement -

상기 양측은 위기 기영혜이(기영혜이) 기영혜이 2021년 6월 30일 전까지
The above two sides submit this agreement because they have agreed not to raise civil and criminal
claims in the future with respect to the termination of the employment relationship of the local
employee (Hyun-Hee Nam) as of June 30, 2021

September 1, 2020

이 합의는 양측이
Parties to the agreement

Employer (Representative) Name: Jinho Jo

조진호

Employee Name: Hyunhuy Nam

기영혜이

Certification of Translation Accuracy

I, Fran S. Yoon, a professional interpreter and translator having no relation to the client hereby certify that:

1. I am a Korean/English interpreter and translator with 20 years of experience.
2. I am currently registered with the federal courts of New York and New Jersey.
3. The attached document entitled Settlement Agreement, to the best of my knowledge, ability and belief, is a true and accurate translation of the original document.



Fran S. Yoon

September 30, 2021